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10/611,641	07/01/2003	Curtis G. Wong	MS303124.2 (MSFTP446USA)	1389
27195 7590 07/24/2008 AMIN. TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			EXAMINER KE, PENG	
			ART UNIT 2174	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/611,641	<b>Applicant(s)</b> WONG ET AL.	
	<b>Examiner</b> SIMON KE	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25, 27, 29-35, 37-42, 45-53 and 55-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25, 27, 29-35, 37-42, 45-53, and 55-59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This action is responsive to communications: Amendment, filed on 4/14/08.

Claims 1-25, 27, 29-35, 37-42, 45-53, and 55-59 are pending in this application. Claims 1, 24, 45, and 52 are independent claims. In the Amendment, filed on 4/14/08, claims 1, 18-19, 21, 24, 25, 32, 45, 52, and 53 were amended and claim 55-59 were added.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4-10, 12-20, 23, 24, 27, 29-31, 33-35, 37-41, 45, and 58-59 are rejected under 35 U.S.C. 102(b) as being anticipated by Jacobi US Patent 6,064,980 in view of Demers US Publication 2004/0068536.

As per claim 1, Jacobi teaches a computer-implemented interactive media frame display system comprising the following computer executable components:

A host component comprising at least one host media store; (see Jacobi, column 4, lines 23-35; The BookMatcher service is media store) and

A media frame component that facilitates full interactivity by a user to remotely browse, manipulate, and view a plurality of media items stored at in least one media store by interfacing with the host component via a communication connection between the media frame

component and the host component. (see Jacobi, column 4, lines 35-60; Web server provides the interactivities.)

However, they fail to teach the media frame display retrieves a plurality of media items from the host media store, stores them in a local store and transmits back to the host media store the at least one of modified media items or add and delete operations performed on the media items, wherein the local data store is operably connected to the interactive media frame display.

Demers teaches the media frame display retrieves a plurality of media items from the host media store, stores them in a local store and transmits back to the host media store the at least one of modified media items or add and delete operations performed on the media items, wherein the local data store is operably connected to the interactive media frame display. (see Demers, paragraph 0074)

It would have been obvious to an artisan at the time of the invention to include Demers' teaching with method of claim Jacobi in order to allow users to review their current collections.

As per claim 2, Jacobi and Demers teach the system of claim 1. Jacobi further teaches the host component comprising one or more host locations, the host locations comprising at least one of a server and a computer, such that each host location comprises at least one host media store. (see Jacobi, column 4, lines 35-60)

As per claim 4, Jacobi and Demers teach the system of claim 1. Jacobi further teaches the host location being arranged in hard wired network configuration with media frame component (see Jacobi, column 4, lines 36-65; it is inherent that the frame component is configured on a hard wired network.)

As per claim 5, Jacobi and Demers teach the system of claim 1. Jacobi further teaches the communication component being at least one of a wireless connection and a hard wire connection. (see Jacobi, column 4, lines 36-65)

As per claim 6, Jacobi and Demers teach the system of claim 1. Jacobi further teaches the media frame component comprising an annotation component that annotates one or more media items with one or more metadata. (see Jacobi, column 7, lines 56-column 8, line 8)

As per claim 7, Jacobi and Demers teach the system of claim 6. Jacobi further teaches the metadata comprising at least one of intrinsic metadata and extrinsic metadata. (see Jacobi, column 7, lines 56-column 8, lines 8, figure 6, Author's link is intrinsic information and "Readers who brought the Ranch also bought" is extrinsic information)

As per claim 8, Jacobi and Demers teach the system of claim 6. Jacobi further teaches the annotation component comprising a metadata generation component. (see Jacobi, column 7, lines 56-column 8, line 8; The rating component is the annotation component)

As per claim 9, Jacobi and Demers teach the system of claim 8. Jacobi further teaches the metadata generation component comprising an analyzing component that identifies properties respectively associated with the media items. (see Jacobi, column 7, lines 56-column 8, line 8)

As per claim 10, Jacobi and Demers teach the system of claim 9. Jacobi further teaches the analyzing component comprising a classifier. (see Jacobi, column 8, line 18-40; Engine that determines title categories is a classifier.)

As per claim 12, Jacobi and Demers teach the system of claim 8. Jacobi further teaches the metadata generation component generating new metadata based at least in part upon a cluster

of media items retrieved from one or more host location by analyzing the media items for at least one property common among them. (see Jacobi, column 7, lines 56-column 8, lines 8, figure 6)

As per claim 13, Jacobi and Demers teach the system of claim 12. Jacobi further teaches the wherein analyzing the media items comprises at least one of face recognition, content analysis, and intrinsic metadata comparison. (see Jacobi, column 7, lines 17-30; Same author matching is an intrinsic metadata comparison.

As per claim 14, Jacobi and Demers teach the method of claim 1. However, Jacobi fails to teach a local data store that stores one of more media items retrieved from one or more host location.

Demers teaches a local data store that stores one of more media items retrieved from one or more host location. (see Demers, paragraph 0074)

It would have been obvious to an artisan at the time of the invention to include Demers' teaching with method of claim Jacobi in order to allow users to review their current collections.

As per claim 15, Jacobi and Demers teach the system of claim 1. Jacobi further teaches an interface component comprising a least one of a microphone component, one or more command buttons, and a touch screen. (figure 3, "continue" is a command a button)

A per claim 16, Jacobi and Demers teach the system of claim 1. Jacobi further teaches the one or more command buttons corresponding to at least one of play, back, reverse, forward, stop, pause, menu, mode, edit mode, view mode, annotation function, order function, skip, populated metadata list, file size, media item size, speed, time, data, volume save, delete, scroll bar, scroll tool, and power. (figure 3, "continue" is a forward command)

As per claim 17, Jacobi and Demers teach the system of claim 1. Jacobi further teaches a microprocessor that controls, operates, and tracks retrieval of the one or more media items from one or more host locations. (see Jacobi, column 7, lines 56-column 8, lines 8; HTML page is a media item)

As per claim 18, Jacobi and Demers teach the system of claim 1. Jacobi further teaches the media items comprising at least one of a photograph, a picture, a video, a video clip, a song, a sound, a document, and an electronic mail message. (Figure 6, HTML document regarding a book is a document)

As per claim 19, Jacobi teaches the method of claim 1. However, Jacobi fails to teach one or more audio output components.

Demers teaches method comprising one or more audio output components. (see Demers, paragraph 0098)

It would have been obvious to an artisan at the time of the invention to include Demers' teaching with method of Jacobi in order to allow users to review their audio collections.

As per claim 20, Jacobi and Demers teach the method of claim 19. Demers further teaches the one or more audio component being one or more speakers. (see Demers, paragraph 0098)

As per claim 23, Jacobi teaches the method of claim 1. However, Jacobi fails to teach the display is pocket sized thereby facilitating transportability of viewing favorite media items.

Demers teaches the display is pocket sized thereby facilitating transportability of viewing favorite media items. (see Demers; paragraph 0029)

It would have been obvious to an artisan at the time of the invention to include Demers' teaching with method of claim Jacobi in order to allow users to add portability to their media collection.

As per claim 24, Jacobi teaches a method of browsing, viewing and/or manipulating one or more media items from a remote interactive media frame display comprising:

Retrieving one or more media items from at least one host location; (see Jacobi, column 4, lines 23-35; The BookMatcher service is media store)

Displaying the one or more media items on the interactive media frame; (see Jacobi, column 4, lines 35-60; Web server provides the interactivities.)

Receiving a user input that includes a request to browse, view or manipulate one or more media items; and (see Jacobi, column 4, lines 35-60;)and

Performing one or more acts on the one or more media items based at least in part upon the user input. (see Jacobi, column 4, lines 35-60;)

Jacob teaches annotating the one or more media items with one or more metadata (see Jacobi, column 4, lines 35-60);

Jacobi teaches viewing one or more favorite media items on the display for enjoyments; (see Jacobi, col. 2, lines 45-63)

Ordering one or more media items based at least in part upon any one of metadata and user preferences; (see Jacobi, figure 11, items 102 and 104)

Removing the one or more media items from interaction media frame; (see Jacobi; figure 5, col. 7, lines 30-40)

However, Jacob fails teaches storing the one or more media items in a local data store or add and delete operably connected to the interactive media frame display; and

Transmitting back to the host media store the at least one of modified media items or add and delete operations performed on the media items.

Demers teaches storing the one or more media items in a local data store operably connected to the interactive media frame display; and Transmitting back to the host media store the at least one of modified media items or operations performed on the media items. (see Demers, paragraph 0074)

It would have been obvious to an artisan at the time of the invention to include Demers' teaching with method of claim Jacobi in order to allow users to review their current collections.

As per claim 27, Jacobi and Demers teach the method of claim 24. Jacobi further teaches detecting a user interface prior to receiving the user input. (see Jacobi, column 6, lines 40-50)

As per claim 29, Jacobi and Demers teach the method of claim 28. Jacobi further teaches annotating the one or more media items with one or more metadata comprises:

Selecting one or more media items; and

Tagging the media items with metadata as a group and/or individually. (see column 7, lines 55-column 8, lines 10; A positive rating is tagging the media item)

As per claim 30, Jacobi and Demers teach the method of claim 29. Jacobi further teaches comprising storing the tagged media items in at least one of a local data store and a respective host media store. (see Jacobi, column 8, lines 1-40; Recording rating event of a title is tagging the media item)

As per claim 31, Jacobi teaches the method of claim 28. However, Jacobi fails to teach ordering of the one or more media items based on least in part upon any one of metadata and user preferences comprises.

Demers teaches the ordering of one or more media items based on least in part upon any one of metadata or user preferences. (see Demers; paragraph 0095)

It would have been obvious to an artisan at the time of the invention to include Demers' teaching with method of claim Jacobi in order to allow user desired content.

As per claim 33, Jacobi teaches the method of claim 28. However, Jacobi fails to teach the one or more media items are viewed in at least one of individually, in clusters, whereby more than one media item is available for viewing on the display.

However, Demers teaches the one ore more media items are viewed in at least one of individually, in clusters, whereby more than one media items are available for viewing on the display. (see Demers, paragraph 0074)

It would have been obvious to an artisan at the time of the invention to include Demers' teaching with method of Jacobi in order to allow users to view multiple media items in one screen.

As per claim 34, Jacobi and Demers teach the method of claim 24. Demers further teaches of the one or more media items is in connection with a real time calendar, thereby facilitating a user to view desired media items at a desired time of year. (see Demers paragraph 0123, scheduled transmission is a real time calendar based event.)

As per claim 35, Jacobi and Demers teach the method of claim 34. Demers further teaches the calendar being located on at least one of the interactive media frame display and the host location. (see Demers; figure 21, item 2110)

As per claim 37, Jacobi and Demers teach the method of claim 24. Jacobi further teaches media frame comprising items retrieved from one or more host locations. (see Jacobi, column 6, lines 50-65; Webpage is the media items)

As per claim 38, Jacobi and Demers teach the method of claim 37. Jacobi further teaches the respective media items comprise a host identifier metadata such that changes made to the media items are communicated to their respective host location. . (see Jacobi, column 6, lines 50-65; Cookie is the host identifier)

As per claim 39, Jacobi and Demers teach the method of claim 24. Jacobi further teaches searching for media items from one or more host location that have metadata in common with a retrieved media items. (see Jacobi, column 8, lines 18-40)

As per claim 40, which is dependent on claim 27, it is of the same scope as claim 15.  
Supra

As per claim 41, which is dependent on claim 40, it is of the same scope as claim 16.  
Supra.

As per claim 45, it is rejected with the same rationale as claim 24. Supra.

As per claim 58, Jacobi and Demers teach the method of claim 1. Demers further teaches the media frame component comprising an artificial intelligence component that facilitates viewing of the media items based at least in part upon one or more of historical data relating to

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media items received at the media frame component or viewing preferences. (see Demers, paragraph 0051)

As per claim 59, Jacobi and Demers teach the system of claim 58. Jacobi further teaches the media frame component automatically searches for new media items added in the host media store and processes them according to previously set annotation and viewing parameters for existing related items. (see Jacobi, col. 4, lines 24-65)

Claims 21, 22, 32, 52, 53, and 55-57 are rejected under 35 U.S.C. 102(b) as being anticipated by Jacobi US Patent 6,064,980 in view of Demers US Publication 2004/0068536 further in view of Logan US Publication 2008/0052739.

As per claim 32, Jacobi and Demers teach the method of claim 28. Jacobi fails to teaches wherein viewing one of more favorite media items on the display comprises performing at least one of the following:

Designating a percentage of media items having common metadata from the retrieved media items as the favorite media items for viewing.

Designating a viewing cycle to cyclically display the favorite media items in connection with at least one of an amount of viewable time per media item or a length of time one or more media items are available for viewing on the display.

Logan teaches accessing a favorite scheduled media comprises performing at least designating the access cycle to cyclically accessing (see Logan, Paragraph 0253, at schedule broadcast time which is a cyclically access for a daily cycle) in connection with at least one of an amount of viewable time per media item (see Logan, Paragraph 0253, use can select given live program segment which is the viewable timer for the media items)

It would have been obvious to an artisan at the time of the invention to include Logan's teaching with method of Jacobi and Demers in order to allow user to schedule a display on a specific time frame.

As per claim 21, Jacobi teaches the method of claim 1. However Jacobi fails to teach a calendar functionality component whereby the one or more media items can be viewed within a viewing cycle coincident with a real time calendar based at least in part on metadata associated with the media items.

Demers teaches a calendar functionality component whereby the one or more media items can be viewed coincident with a real time calendar based at least in part on metadata associated with the media items. (see Demers paragraph 0123, scheduled transmission is a real time calendar based event.)

It would have been obvious to an artisan at the time of the invention to include Demers' teaching with method of Jacobi in order to allow users to schedule a transmission.

However they both fail to teach a viewing cycle.

Logan teaches a viewing cycle(see Logan, Paragraph 0253, at schedule broadcast time which is a cyclically access for a daily cycle)

It would have been obvious to an artisan at the time of the invention to include Logan's teaching with method of Jacobi and Demers in order to allow user to schedule a display on a specific time frame.

As per claim 22, Jacobi, Demers, and Logan teach the method of claim 21. Demers further teaches the calendar being located on at least one of the interactive media frame display and the host location. (see Demers; figure 21, item 2110)

As per claim 52, Jacobi teaches a computer-implemented interactive media frame display system comprising the following components:

A media frame component that facilitates full interactivity by a user to browse, manipulate, and view a plurality media items (see Jacobi, column 4, lines 35-60; Web server provides the interactivities.)

However, Jacobi fails to teach a communication component that connects the media frame component to at least a remote host media store such that it facilitates retrieval of the one or more media items from the remote host media store by the media frame component and transmission of at least one media items modified at the media frame back to the remote host media store;

A local store operably connected to the media frame component for storing the one or more media items retrieved from the remote host media store and the at least one of modified media items or operations performed on the media items.

Demers teaches a communication component that connects the media frame component to at least a remote host media store such that it facilitates retrieval of the one or more media items from the remote host media store by the media frame component and transmission of at least one media items modified at the media frame back to the remote host media store; (see Demers, paragraph 0024, 0067, 0072, 0074)

A local store operably connected to the media frame component for storing the one or more media items retrieved from the remote host media store and the at least one of modified media items or operations performed on the media items. (see Demers, paragraph 0074)

However, they fail to teach a plurality media items in a display cycle wherein a user designates one or more of a percentage of related media items to display in a single cycle or a time of display for each media item within the display cycles or a period for which each media items is displayed in the display cycle.

Logan teaches accessing a favorite scheduled media comprises performing at least designating the access cycle to cyclically accessing (see Logan, Paragraph 0253, at schedule broadcast time which is a cyclically access for a daily cycle) in connection with at least one of an amount of viewable time per media item (see Logan, Paragraph 0253, use can select given live program segment which is the viewable timer for the media items)

It would have been obvious to an artisan at the time of the invention to include Logan's teaching with method of Jacobi and Demers in order to allow user to schedule a display on a specific time frame.

As per claim 53, Jacobi, Demers, and Logan teach the method of claim 52. Jacobi further teaches the media frame component comprising a scrubbing component that removes tagged metadata from the one or more media items. (see Jacobi, col. 7, lines 30-40)

As per claim 55, Jacobi, Demers, and Logan teach the system of claim 52. Demers further teaches the system comprising one or more of the remote host media stores for storing a plurality of media items to view, and manipulate via the media frame component. (see Demers, paragraph 0070)

As per claim 56, Jacobi, Demers, and Logan teach the system of claim 52. Jacobi further teaches the modified media item communicated to the host component includes at least one media item annotated with one of one or more keywords or phrases via a user audio input such

that the media item is annotated remotely from the host media store. (see Jacobi col. 3, lines 1-10, Category is a keyword)

As per claim 57, Jacobi, Demers, and Logan teach the system of claim 52. Demers further teaches the accessing cycle of media item to facilitate setting the period of access of each media item (see Logan, Paragraph 0253, at schedule broadcast time which is a cyclically access for a daily cycle). Logan further teaches the items is associated with a real-time calendar. (see Demers, paragraph 0027)

Claims 3, 11, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobi US Patent 6,064,980 further in view Demers US Publication 2004/0068536 further in view of Agarwal US Publication 2006/0178946.

As per claim 3, Jacobi and Demers teach the interactive media frame display of claim 2. Jacobi fails to teach the host locations being arranged in wireless network configuration with the media frame component.

Agarwal teaches the host locations being arranged in wireless network configuration with the media frame component. (see Agarwal paragraph 0075)

It would have been obvious to an artisan at the time of the invention to include Agarwal's teaching with method of claim Jacobi in order to allow users to access the network wirelessly.

As per claim 11, Jacobi teaches the interactive media frame display of claim 9. Jacobi fails to teach the analyzing component comprising a pattern recognition component.

Agarwal teaches the analyzing component comprising a pattern recognition component.  
(see Agarwal; paragraph 0031)

It would have been obvious to an artisan at the time of the invention to include Agarwal's teaching with method of claim Jacobi in order to identify or categorize information about the recipient.

As per claim 25, which is dependent on claim 24, it is of the same scope as claim 3.  
Supra.

Claims 42, 46, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobi US Patent 6,064,980 further in view Demers US Publication 2004/0068536 further in view of Kronz US Patent 6,675,196.

As per claim 42, Jacobi teaches the method of claim 40, but Jacobi fails to teach a microphone.

Kronz teaches a microphone. (see Kronz; column 5, lines 40-52)

It would have been obvious to an artisan at the time of the invention to include Kronz' teaching with method of claim Jacobi in order to provide users with an audio input.

As per claim 46, Jacobi and Kronz teach the method of claim 42. Jacobi further teaches means for searching for media items from one or more host locations that have metadata in come with a retrieved media item. (see Jacobi, column 6, lines 50-65)

As per claim 47, Jacobi and Kronz teach the method of claim 42. Jacobi further teaches performing one or more media items comprises at least one of the following:

Annotating the one or more media items with one or more metadata; (see Jacobi, column 7, lines 56-column 8, lines 8)

Viewing one or more favorite media items on the display for enjoyments;

Ordering the one or more media items based at least in part upon any one of metadata and user preferences;

Removing the one or more media items from the interactive media frames; and

Storing the one or more media items in a local data store operable connected to the interactive media frame display

Claims 48-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobi US Patent 6,064,980 further in view Demers US Publication 2004/0068536 in view of Bendinelli US Patent 6,061,719.

As per claim 48, Jacobi teaches the method of claim 1. However Jacobi fails to teach the interactive media frame display is implemented on a television.

However, Bendinelli the interactive media frame display is implemented on a television. (see Bendinelli, column 5, lines 30-60)

It would have been obvious to an artisan at the time of the invention to include Bendinelli's teaching with method of claim Jacobi in order to provide to present web content to a viewer in synchronization with television programming.

As per claim 49, Jacobi and Bendinelli teach the method of claim 48. Bendinelli further teaches the television comprises at least two modes:

TV mode and passive mode, such that retrieving, viewing, browsing and manipulating media items pulled from the host location are performed in the passive mode. (see Bendinelli, column 5, lines 30-60)

As per claims 50 and 51, they are of the same scope as claim 48 and 49. Supra.

### ***Response to Argument***

Applicant's arguments filed on 4/14/08 have been fully considered but they are not persuasive.

Applicant's argument focused on the following:

A) Whether the combination of Jacobi and Demers teaches a media frame component that facilitates full interactivity by a user to remotely browse, manipulate and view a plurality of media items stored in the at least one media store by interfacing with the host component, the media frame display retrieves a plurality of media items from the host media store, stores them in a local store and transmits back to the host media store the at least one of modified media items, add and delete operations performed on the media items, wherein the local data store is operably connected to the interactive media frame display?

A) During patent examination, the pending claims must be "given >their< broadest reasonable interpretation consistent with the specification." > In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Although the claims are interpreted in light of the

specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

In this case, the combination teaches this limitation because Jacobi teaches a media frame component that facilitates full interactivity by a user to remotely browse, manipulate, and view a plurality of media items stored at in least one media store by interfacing with the host component via a communication connection between the media frame component and the host component by allowing user to select, view, and assign a desirability factor to the textual media (see Jacobi, column 4, lines 35-60; Web server provides the interactivities); and Demers teaches the media frame display retrieves a plurality of media items from the host media store, stores them in a local store and transmits back to the host media store the at least one of modified media items or add and delete operations performed on the media items, wherein the local data store is operably connected to the interactive media frame display by allowing user to download media from server to his/her local storage. (see Demers, paragraph 0074) Therefore the combination teaches this limitation.

B) Whether claims 34 and 35 recite a display cycle?

B) In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "display cycle") are not recited in the rejected claim(s). Although the claims are interpreted in light of the

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specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant's arguments with respect to claims 21, 22, 32, 52 and 58 have been considered but are moot in view of the new ground(s) of rejection.

#### Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SIMON KE whose telephone number is (571)272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Peng Ke  
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Primary Examiner, Art Unit 2174